

REMARKS

With reference to the Office Action, Claim 11 has been rejected under 35 USC 112 as being indefinite. In this regard, Claim 11 has been amended to comply with the requirements of 35 USC 112. More particularly, the phrase "the edge segments" has been deleted from Claim 11.

The Examiner rejected Claims 1 and 3-18 under 35 U.S.C. 103(a) as being unpatentable over Bealing et al. U.S. Patent No. 5,666,691 in view of Altus et al. U.S. Patent No. 4,829,627. This claim rejection is respectfully traversed for the following reasons.

The present invention, as claimed in amended independent Claim 1, relates to a covering for a powered vehicle which includes a base covering having a bottom surface, and **a top surface with a nap** of predetermined height. As further recited in Claim 1, a first affixing means is also included which has a proximal and distal end, embedded in the base covering, characterized in that the distal end of the first affixing means extends upwardly into the nap **but not higher** than the height of the nap. Because of this arrangement, contact between the feet of a driver of a powered vehicle and the first affixing means is not possible, thereby a greater driving comfort is achieved and damage to the first affixing means is avoided.

It is respectfully submitted that the references relied upon by the Examiner in the Office Action (i.e., the Bealing et al. and Altus et al. references), whether considered individually or in combination with each other, do not anticipate or make obvious the present invention as recited in amended independent Claim 1. For

example, the Bealing et al. reference discloses a floor covering for an automobile that includes an underpad secured to a carpet backing using mechanical fasteners. The Examiner has taken the position that the underpad is equivalent to the base covering of the present invention. The mechanical fasteners of the Bealing et al. reference each include a female mechanical fastener and a male mechanical fastener (which the Examiner equates to the first affixing means of the present invention). As conceded by the Examiner, the Bealing et al. reference fails to disclose a base covering having a top surface with a nap, as recited in Claim 1.

The specific configuration of the first affixing means recited in amended Claim 1 further distinguishes the present invention from the Bealing et al. reference. Whereas the distal end of the first affixing means recited in Claim 1 extends upwardly into the nap **but not higher** than the height of the nap, the distal end of the first affixing means disclosed in the Bealing et al. reference extends **over** the top surface of the base covering (see FIG. 5 of the Bealing et al. reference). Thus, the first affixing means of the Bealing et al. reference can come into contact with the feet of a driver when no carpet backing or supplemental mat is provided.

With respect to the reference (i.e., the Altus et al. reference) cited in combination with the Bealing et al. reference, applicant's attorney notes that it discloses a retainer (i.e., a supplemental mat) attached to an automotive floor mat using male and female fasteners. Each of the male and female fasteners extends upward above (i.e., in a higher position than) the surface of the supplemental mat such that the fasteners intrude into the movement area of the driver's feet, thereby reducing driving

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comfort. Accordingly, the Altus et al. reference fails to disclose or suggest a first affixing means having a distal end extending upwardly into the nap **but not higher** than the height of the nap, as recited in Claim 1.

In view of the foregoing circumstances, even if it were obvious to combine the apparatus of the Bealing et al. reference with the Altus et al. reference, the resulting combination would not result in the present invention, since it would still lack a first affixing means having a distal end extending upwardly into the nap **but not higher** than the height of the nap, as recited in Claim 1. Accordingly, applicant's attorney respectfully requests that the Examiner withdraw her rejection based upon the Bealing et al. and Altus et al. references.

Applicant's attorney respectfully submits that amended independent Claim 1 is in condition for allowance. With respect to Claims 2-18, they depend, either directly or indirectly, from amended independent Claim 1. In such circumstances, it is believed that these claims are also in condition for allowance.

In view of the foregoing amendments and remarks, applicant's attorney respectfully requests reexamination and allowance of Claims 1-18. If such action cannot be taken, however, the Examiner is cordially invited to place a telephone call to applicant's attorney in order that any outstanding issue may be resolved without the issuance of a further Office Action.

Enclosed is a Petition for a two-month extension of time to and including March 10, 2004, for which a \$420 fee is due. The Petition authorizes the Examiner to charge this \$420 fee to Deposit Account No. 501402. If there are any additional fees

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due as a result of this Amendment, including extension and petition fees, the Examiner
is authorized to charge them to Deposit Account No. 501402.

Respectfully Submitted,

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